

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

NEWTOK VILLAGE, and NEWTOK  
VILLAGE COUNCIL

Petitioners,

vs.

ANDY T. PATRICK, JOSEPH TOMMY,  
and STANLEY TOM,

Defendants.

Case No. 4:15-cv-0009-RRB

**ORDER FOR WRIT  
OF ASSISTANCE (FRCP 70)**

It appearing from the record in this matter and the affidavit of Tom John, this Court previously issued a Judgment in this matter directing the Defendants, Andy T. Patrick, Joseph Tommy and Stanley Tom, to turn over all records and equipment of Newtok Village to the Newtok Village Council within 10 days of service of the order,<sup>1</sup> and that said Defendants have failed to deliver possession of the property to the Newtok Village Council thereby disobeying this Court's order, this Court finds that the Newtok Village Council is entitled to immediate possession of such records and equipment,

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<sup>1</sup> Docket 16, p. 6

**IT IS HEREBY ORDERED** that a Writ of Assistance be issued requesting the Alaska State Troopers to assist the Newtok Village Council, in acquiring possession of the personal property described as follows:

1. All financial and program records, including spread sheets, cost reports, receipts, resolutions, ordinances, contracts, request for payments, check registers, account statements, program reports, financial reports, audits, compliance review documents, contract officer determinations and correspondence, relating to Newtok Village, Newtok Village Council and/or Newtok Traditional Council in its role as actual or claimed governing body of Newtok Village, including paper and/or electronic records.

2. All equipment including computers, monitors, copiers, furniture, filing cabinets, keys, vehicles, telecommunications systems, electronic disks, hard drives, and other personal property located in the Tribal Office Building.

Assistance shall be performed by requiring the Defendants to vacate the Tribal Office building, leaving in place all such records and equipment, and returning any and all removed records and equipment in Defendants possession to such Tribal Office Building and delivering the keys to the Tribal Office building to the designated officials of the Newtok Village Council. The Alaska State Troopers are authorized to enter into the home(s) of the Defendants, with designated tribal officials of the Newtok Village Council, to search and recover any such records and equipment belonging to the Newtok Village.

The Alaska State Troopers may use any reasonable force deemed necessary by them to accomplish these acts.

**IT IS SO ORDERED** this 12<sup>th</sup> day of January, 2016.

S/RALPH R. BEISTLINE  
UNITED STATES DISTRICT JUDGE